

Amendment No. 3 to HB0806

**Fitzhugh
Signature of Sponsor**

AMEND Senate Bill No. 1253

House Bill No. 806*

By deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-2-309, is amended in subsection (b) by deleting the last sentence of such subsection and by substituting instead the following:

A person who has made child support payments to a child or children and is subsequently found not to be the father shall have a civil cause of action against the biological father and/or the child or children to recover all child support payments made to such child or children. To recover, the person found not to be the father must show that the biological father and/or the child or children knew that the biological father was the father and knowingly concealed such knowledge from the court or the individual found not to be the father. In addition thereto, a person who is successful in such action shall also be awarded court costs and reasonable attorney's fees. A biological father and/or the child or children shall not be liable to pay a child's custodian any sums another man is legally obligated to pay.